

Local Agency Formation Commission  
Of Modoc County  
Regular Meeting

Minutes of August 9, 2011

**1. Call to Order:**

Chairman Schreiber called the meeting to order at 5:02 pm, in the City Council Chambers, Alturas City Hall. Commissioners Dederick, Schreiber, Neer, Bullock and Allan were present. Commissioner Alternate Jerry Shea was also present, as well as City Public Works Director Chester Robertson and County Planning Director Kim Hunter.

**2. Approval of Agenda**

Commissioner Bullock made the motion to approve the agenda as submitted; seconded by Commissioner Dederick. In favor: Unanimous.

**3. Election of Chair and Vice-Chair for Fiscal Year 2011-2012**

Commissioner Dederick nominates Commissioner Bullock as Chair for Fiscal Year 2011-2012; seconded by Commissioner Allan. In favor: Unanimous.

Commissioner Bullock nominates Commissioner Dederick as Vice-Chair for Fiscal Year 2011-2012; seconded by Commissioner Allan. In favor: Unanimous.

**4. Correspondence**

Executive Officer Benoit had one thing; RCRC wrote a letter about the fees for Cal Fire and they are pretty upset. They are building a case against it, stating that these fees will impact rural areas. Most of the lands are SRA around here, and one of the chiefs around here wanted to convert the land from SRA to LRA and maybe that is something others want to think about.

He also received a review from the Fall River Valley Irrigation District that wants to do a Sphere of Influence. He sent a letter on behalf of both LAFCOs, Lassen & Modoc, to save time and money informing them that we are not the lead LAFCo, and that Shasta would need to take this project on. There should have been an environmental impact report, but this shouldn't impact this LAFCo as much as Lassen.

Commissioner Allan says he heard that Kern and Humboldt County have found a way to opt out of the SRA fees and asks if he has heard anything about that. Executive Officer Benoit assumes they are switching their areas to LRA responsibility. The Howard Jarvis Tax Association is also mounting a lawsuit. Commissioner Schreiber asks Benoit to look into this and see what he can find. Discussion ensues regarding the consequences the fee could have for the county and districts. Commissioner Dederick says most of the privately owned properties are in fire protection districts. Planning Director Kim Hunter reports that doesn't matter, there is a map showing SRA and LRA areas that can be within districts. Executive Officer Benoit reminds everyone that it's not a fire protection fee, it's a fire prevention fee which means they can use it for anything they want.

## **5. Approval of Minutes: April 12, 2011 and June 14, 2011**

Commissioner Alternate Shea points out a typo to be corrected. Commissioner Dederick made the motion to approve the minutes as amended; seconded by Commissioner Allan. AYES: Commissioners Dederick, Schreiber, Allan and Bullock. ABSTAIN: Commissioner Neer. Motion carries.

## **6. Public Comment**

None

## **7. Fire and EMS Providers Sphere of Influence**

### *a. Review Draft Sphere of Influence report and Conduct Workshop*

Executive Officer Benoit has given the Commissioners the Sphere of Influence for the Fire Protection Districts. One of the big delays is mapping between Cedarville and Eagleville. He has looked at the original maps and the tax maps in the Assessor's office. His goal is to get a map that someone can rely on. When we did the service review, someone commented on the boundaries so he has been checking on them. Some of the maps in the area are just in black and white and he will be making them a little more readable. The only comment he received was the boundaries between Cedarville and Eagleville. There is no desire that he is aware of to expand the districts into other areas of the county. Pretty much all of the county is in a fire protection district.

He has also discussed this with Tony Richno at OES to find out where these guys go. OES had some maps done and they are very consistent with what he has here. We are supposed to update these Spheres every five years, but these haven't been done since the 1980s. Having them done electronically makes them more clear and reliable. He also reviewed a lot of the water and sewer district maps. We need to get these spheres adopted and he would like to invite the districts and conduct a public hearing. Most of them don't have a lot of concern. These are the areas they serve, and that is it.

Commissioner Alternate Shea says Benoit indicated an issue with the boundaries between Cedarville and Eagleville and it looks like they overlap. Executive Officer Benoit says he went and got the original maps today and he will be fixing that.

Commissioner Bullock asks about areas that cross over into Lassen County. Executive Officer Benoit states areas might go into Lassen, but the majority of the district falls in Modoc so we are the lead LAFCo. Commissioner Bullock asks about mutual aid agreements. Benoit says they do not need to go through LAFCo.

### *b. Schedule Hearing for October 11, 2011*

Commissioner Neer made the motion to schedule a hearing for October 11, 2011; seconded by Commissioner Dederick. In favor: Unanimous.

## **8. Authorize Payment of Claims for July 2011.**

### *a. Approve payment of expenses for July 2011 and ratification of the June 2011*

*expenses.*

Commissioner Dederick made the motion to approve payment of expenses for July 2011 and ratify the June 2011 expenses; seconded by Commissioner Neer. In favor: Unanimous.

## **9. Executive Officer's Monthly Report**

Executive Officer Benoit says he is still working with Hot Springs Valley Irrigation District and they are currently working with their surveyor to find out exactly what their boundaries are. He has given them the files for them to review. There hadn't been some proper annexations, so they are trying to clean things up.

The Cedarville Water District annexation is going through the first property tax exchange. We need to get the county's tax resolution. Since nobody on the staff has ever done this, he got the information from the Auditor and the Assessor and forwarded them to the district.

Lastly, is the legislative report. The bill that was signed by Assemblyman Gordon eliminates the voting requirement for protest hearings. If we wanted to dissolve a CSD for example it would be very hard to gather 25% of the voters or property owners and this would make things a little easier. Commissioner Neer asks about protest hearings and Benoit reports that you need 25% of voters to move forward with an election and this would eliminate some of those costs.

The Vernon bill is on the Senate floor right now, which would incorporate the city of Vernon in Los Angeles County. There is a bill regarding disadvantaged unincorporated communities is also in the Assembly, but it still has some problems and Calafco will be opposing this. We will learn more about the Gordon bill at the Calafco conference. There are a lot more coming out, and he will provide a more thorough report at the October meeting.

## **10. Commissioner Reports - Discussion**

Commissioner Dederick asks about pursuing an annexation of the Mill property and the Sewer Plant. He asks if Benoit can brief him on the process and the costs of this project. Executive Officer Benoit states he can put that on the agenda for discussion and this could help the new Commissioners understand what we do here.

Commissioner Neer reports she spoke to Jesse Blair and asks about what is happening with the Daphnedale CSD. Executive Officer Benoit states he will contact him to discuss options. He doesn't know where Daphnedale is going right now, and will talk with Chester Robertson as well. Commissioner Dederick says they have never approached the City with a contract yet and as he understood that's what they had wanted to pursue.

There being no further business to come before this Commission; Commissioner Neer made the motion to adjourn the meeting; seconded by Commissioner Dederick. In favor: Unanimous  
Chairman Bullock adjourns the meeting at 5:46 p.m.

The next meeting will be held October 11, 2011 at 5:00 p.m.